

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  Susan Barilich, Esq. Susan Barilich, P.C. 535 N. Brand Blvd. Ste. 504 Glendale, CA 91203 Tel. 818-500-0377 Fax: 800-8507209 SBN 159530 susan@barilichlaw.com  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Lipp CDS	FOR COURT USE ONLY  <div style="text-align: center;"> <p>RECEIVED</p> <p>2025 NOV 18 A 8:20</p> <p>CLERK US BANKRUPTCY COURT DISTRICT OF DELAWARE</p> </div>
<b>UNITED STATES BANKRUPTCY COURT DELAWARE DIVISION</b>	
In re:  BIG LOTS, INC., et al, recaptioned as FORMER BL STORES, INC.   <div style="text-align: right;">Debtor(s).</div>	CASE NO.: 24-11967 ADVERSARY NO.: (if applicable) CHAPTER: 11
<div style="text-align: center;">         Plaintiff(s) (if applicable).           vs.            Defendant(s) (if applicable).       </div>	<b>NOTICE OF APPEAL AND STATEMENT OF ELECTION</b>

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): Lipp CDS, Inc.

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff  
☐ Defendant  
☐ Other (describe):

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☐ Debtor  
☒ Creditor  
☐ Trustee  
☐ Other (describe):

**Part 2: Identify the subject of this appeal**

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:  
Order Sustaining Objection and Disallowing Claim No. 10731 Filed By Lipp CDS, Inc.
2. State the date on which the judgment—or the appealable order or decree—was entered: 11/04/2025

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Lipp CDS, Inc.  
Attorney: Susan Barilich, Esq.  
Susan Barilich, P.C.  
535 N. Brand Blvd. Ste. 504  
Glendale, CA 91203  
Tel. 818-500-0377
2. Party: Big Lots Inc. et al, a.k.a. Former BL Stores, Inc. -  
Attorney:  

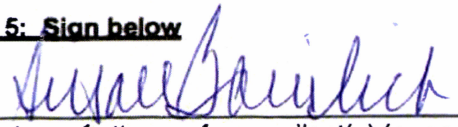
Robert J. Dehney, Sr. Esquire	Kevin L. Winiarski, Esq.
Casey B. Sawyer, Esquire	Stephen D. Piraino, Esq.
MORRIS, NICHOLS, ARSHT & TUNNELL LLP	DAVIS POLK & WARDWELL LLP
1201 North Market Street, 16th Floor	450 Lexington Avenue
P.O. Box 1347	New York, NY 10017
Wilmington, DE 19899	Tel.: (212) 450 4000
Tel: (302) 658-9200	

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**

  
\_\_\_\_\_  
Signature of attorney for appellant(s) (or appellant(s)  
if not represented by an attorney)

Date: November 17, 2025

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., et al.,  
recaptioned as Former BL stores, Inc.

Debtors.1

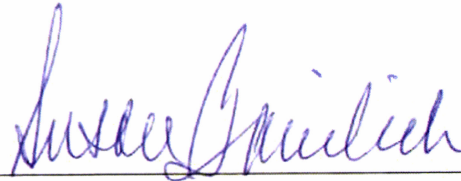
Chapter 11

CASE NO: 24-11967 (JKS)

**CERTIFICATE OF SERVICE**

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I, Susan Barilich, of Susan Barilich, P.C. hereby certify that on the 17th of November, 2025, I served a copy of the **NOTICE OF APPEAL AND STATEMENT OF ELECTION** on the attached service list via electronic mail.



Susan Barilich, Esq. (CA Bar No. 159530)

**SERVICE LIST**

**VIA EMAIL:**

Robert J. Dehney, Sr., Esquire  
Andre R. Remming, Esquire  
Tamara K. Mann, Esquire  
Sophie Rogers Churchhill, Esquire  
Casey B. Sawyer, Esquire  
**MORRIS, NICHOLS, ARSHT  
& TUNNELL LLP**  
1201 North Market Street, 16<sup>th</sup> Floor  
P.O. Box 1347  
Wilmington, DE 19899

Brian M. Resnick, Esquire  
Adam L. Shpeen, Esquire  
Stephen D. Piraino, Esquire  
Ethan Stern, Esquire  
**DAVIS & POLK & WARDWELL LLP**  
450 Lexington Avenue  
New York, NY 10017

Office of the United States Trustee  
Attn: Linda Casey, Esquire  
844 King Street, Suite 2207  
Lockbox 35  
Wilmington DE 19801

**VIA PERSONAL SERVICE:**

Honorable J. Kate Stickles  
United States Bankruptcy Judge  
United States Bankruptcy Court for the District of Delaware  
824 North Market Street, 3rd Floor  
Wilmington, DE 19801